



Patent - EVU-02-PUSA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Amon et al.

Serial No.: 10/001,761

Filed: October 31, 2001

For: Apparatus And Method For Providing
A Provider-Selected Message In
Response To A User Request For
User-Selected Information

) **Group Art Unit:** 2153

) **Examiner:** Edelman, Bradley

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JUN 23 2003

Technology Center 2100

AFFIDAVIT OF THOMAS C. AMON PURSUANT TO 37 CFR §1.131

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I, Thomas C. Amon, declare as follows:

1. I am a named inventor on the above-captioned United States patent application, Serial No. 10/001,761.

2. I first reduced the claimed invention to practice at least as early as September 5, 1996.

3. I conceived the idea of the claimed invention in approximately June, 1996, when I was reading an article in a computer magazine that I bought at the airport. I was reading the article as I was flying to San Jose for a 1-day business trip unrelated to my idea. The article discussed the future of Internet advertising and the use of "banner" ads. Upon reviewing the article, I wrote some notes in the magazine which related to whether there were any television style commercials being offered on the Internet, in which an ad appeared and then disappeared.

4. Once I arrived back home on the same day, I began researching on the Internet whether any such television-style commercials existed on the Internet. I did not find any, and was therefore motivated to develop the software to implement my idea. Within a few days, I began developing computer software to implement my idea. Within a couple of months, I completed the

code which subsequently was demonstrated to Mr. Ronny Haraldsvik on September 5, 1996 as further stated below.

5. On September 5, 1996, I demonstrated the claimed invention to Mr. Ronny Haraldsvik and to Mr. Wayne Moles, by using a laptop computer to execute the software embodying the claimed invention. I initially contacted Mr. Haraldsvik when I was attempting to sell him print advertising space in Financial World Magazine for which I was then employed. At the time, I understood Mr. Haraldsvik to be an authorized representative of Asian Advertisers / USA, and I understood Mr. Moles to be Mr. Haraldsvik's associate. I was seeking advice as to a possible market of my idea.

6. Prior to the demonstration, I secured Mr. Haraldsvik's signature on a non-disclosure agreement, a true and correct executed copy of which is attached hereto as Exhibit A.

7. The demonstration would cause an HTML advertisement to appear on the screen in response to a user's request for an HTML page other than that of the advertisement. The advertisement would appear for a period of time, and thereafter would be replaced by the HTML page that the user originally requested. Further, I was able to demonstrate if a user submitted a second request for the same HTML page, after having already submitted the first request and after already having received the HTML advertisement in response to the first request as stated above, then the user would receive the HTML page requested and would not receive the advertisement page a second time.

8. I do not have a copy of the original software code that was in the laptop computer used to demonstrate the claimed invention, because the code has changed many times since then.

9. The undersigned, being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements and the like may jeopardize the validity of the application or document or any registration resulting therefrom, declares that all statements made of his own knowledge are true, and all statements made on information and belief are believed to be true.

8-6-2002

Dated


Thomas C. Amon



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Technology Center 2100

AFFIDAVIT OF RONNY HARALDSVIK PURSUANT TO 37 CFR §1.131

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I, Ronny Haraldsvik, declare as follows:

1. I am currently Senior Director of Marketing Strategy with Flarion Technologies.
2. On or about August or September, 1996, when I was Senior Account Supervisor of Asian Advertisers / USA, I was contacted by Mr. Thomas Amon, who attempted to sell me print advertising space in Financial World Magazine. Mr. Wayne Moles was the General Manager of our company at that time.
3. On September 5, 1996, Mr. Amon demonstrated a software product to me and to Mr. Moles, as described herein. I understood he was presenting the software to us for the purpose of inquiring as to whether we might be interested in such service on behalf of our clients, if such a service was to become available.
4. The demonstration on September 5, 1996 was performed using a stand-alone laptop computer without Internet access.
5. Prior to the demonstration, I signed a non-disclosure agreement at the request of Mr. Amon.
6. The demonstration would cause an HTML advertisement to appear on the screen in response to a user's request for an HTML page other than that of the advertisement. The

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advertisement would appear for a period of time, and thereafter would be replaced by the HTML page that the user originally requested. Further, it was explained that if a request was submitted for the same HTML page, after the first request was already submitted and after the HTML advertisement was already received in response to the first request as stated above, then the user would receive the HTML page requested and would not receive the advertisement page a second time.

7. After the demonstration, I do not recall having any further discussions with Mr. Amon regarding the demonstration for the next several years.

8. The undersigned, being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements and the like may jeopardize the validity of the application or document or any registration resulting therefrom, declares that all statements made of his own knowledge are true, and all statements made on information and belief are believed to be true.

September 4, 82
Dated

Ronny Haraldsvik
Ronny Haraldsvik

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